

By: Smithee

H.J.R. No. 10

A JOINT RESOLUTION

1 proposing a constitutional amendment changing the eligibility
2 requirements for certain judicial offices.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 2(b), Article V, Texas Constitution, is
5 amended to read as follows:

6 (b) No person shall be eligible to serve in the office of
7 Chief Justice or Justice of the Supreme Court unless the person is
8 licensed to practice law in the State of Texas [~~this state~~] and is,
9 at the time of election, a citizen of the United States and of the
10 State of Texas [~~this state~~], and has attained the age of thirty-five
11 years, and has been a practicing lawyer licensed in the State of
12 Texas for at least ten years, or has been a practicing lawyer
13 licensed in the State of Texas and judge of a state court or county
14 court established by the Legislature by statute for a combined
15 total of [~~court of record together~~] at least ten years, during which
16 time the person's license to practice law has not been revoked,
17 suspended, or subject to a probated suspension.

18 SECTION 2. Section 7, Article V, Texas Constitution, is
19 amended to read as follows:

20 Sec. 7. The State shall be divided into judicial districts,
21 with each district having one or more Judges as may be provided by
22 law or by this Constitution. Each district judge shall be elected
23 by the qualified voters at a General Election and shall be a citizen
24 of the United States and of this State, who is licensed to practice

1 law in this State and has been a practicing lawyer or a Judge of a
2 Court in this State, or both combined, for six [~~four (4)~~] years next
3 preceding the judge's [~~his~~] election, during which time the judge's
4 license to practice law has not been revoked, suspended, or subject
5 to a probated suspension, who has resided in the district in which
6 the judge [~~he~~] was elected for two [~~(2)~~] years next preceding the
7 [~~his~~] election, and who shall reside in the [~~his~~] district during
8 the judge's [~~his~~] term of office and hold the [~~his~~] office for the
9 period of four [~~(4)~~] years, and who shall receive for the judge's
10 [~~his~~] services an annual salary to be fixed by the Legislature. The
11 Court shall conduct its proceedings at the county seat of the county
12 in which the case is pending, except as otherwise provided by law.
13 The judge [~~He~~] shall hold the regular terms of the judge's [~~his~~]
14 Court at the County Seat of each County in the [~~his~~] district in
15 such manner as may be prescribed by law. The Legislature shall have
16 power by General or Special Laws to make such provisions concerning
17 the terms or sessions of each Court as it may deem necessary.

18 The Legislature shall also provide for the holding of
19 District Court when the Judge thereof is absent, or is from any
20 cause disabled or disqualified from presiding.

21 SECTION 3. The following temporary provision is added to
22 the Texas Constitution:

23 TEMPORARY PROVISION. (a) This temporary provision applies
24 to the constitutional amendment proposed by the 85th Legislature,
25 Regular Session, 2017, changing the eligibility requirements for a
26 justice of the supreme court, a judge of the court of criminal
27 appeals, a justice of a court of appeals, and a district judge.

1 (b) The amendment to Section 2(b), Article V, of this
2 constitution takes effect January 1, 2018, and applies only to a
3 chief justice or other justice of the supreme court, a presiding
4 judge or other judge of the court of criminal appeals, or a chief
5 justice or other justice of a court of appeals who is first elected
6 for a term that begins on or after January 1, 2021, or who is
7 appointed on or after that date.

8 (c) The amendment to Section 7, Article V, of this
9 constitution takes effect January 1, 2018, and applies only to a
10 district judge who is first elected for a term that begins on or
11 after January 1, 2021, or who is appointed on or after that date.

12 (d) This temporary provision expires January 1, 2022.

13 SECTION 4. This proposed constitutional amendment shall be
14 submitted to the voters at an election to be held November 7, 2017.
15 The ballot shall be printed to provide for voting for or against the
16 proposition: "The constitutional amendment changing the
17 eligibility requirements for a justice of the supreme court, a
18 judge of the court of criminal appeals, a justice of a court of
19 appeals, and a district judge."